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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 ANTHONY PRENTICE,

10 *Petitioner,*

11 vs.

12 E.K. MCDANIEL, *et al.*,

13 *Respondents.*
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3:10-cv-00743-RCJ-VPC

ORDER

15 This habeas matter under 28 U.S.C. § 2254 comes before the Court for initial review
16 of the petition and accompanying motions, as well as upon petitioner's motion (#8) for a status
17 check. The filing fee has been paid.

18 The Court finds that the interests of justice warrant the appointment of counsel, in light
19 of the sentencing structure that includes consecutive sentences of life without the possibility
20 of parole and the number and complexity of the potential procedural and merits issues
21 presented, following upon petitioner being tried for conspiracy to commit murder and murder
22 with the use of a deadly weapon in a case where the death penalty was sought.

23 IT THEREFORE IS ORDERED that the Clerk of Court shall file the petition.

24 IT FURTHER IS ORDERED that the Clerk shall file the accompanying motion for
25 appointment of counsel, that said motion is GRANTED, and that the Clerk shall reflect on the
26 docket per the Clerk's current practice that the motion is granted by this order. The counsel
27 appointed will represent petitioner in all proceedings related to this matter, including any
28 appeals or *certiorari* proceedings, unless allowed to withdraw.

1 IT FURTHER IS ORDERED that the Clerk shall file the accompanying motion for leave
2 to file additional pages, that said motion is GRANTED, and that the Clerk shall reflect on the
3 docket per the Clerk's current practice that the motion is granted by this order.

4 IT FURTHER IS ORDERED that petitioner's motion (#8) for status check is GRANTED
5 to the extent consistent with the remaining provisions of this order.

6 IT FURTHER IS ORDERED that the Federal Public Defender shall be provisionally
7 appointed as counsel and shall have thirty (30) days to undertake direct representation of
8 petitioner or to indicate an inability to do so. If the Federal Public Defender is unable to
9 represent petitioner, the Court then shall appoint alternate counsel. A deadline for the filing
10 of an amended petition will be set after counsel has entered an appearance. The Court
11 anticipates setting the deadline for one hundred fifty (150) days based upon the current
12 record, which does not automatically establish any period of equitable or other tolling.

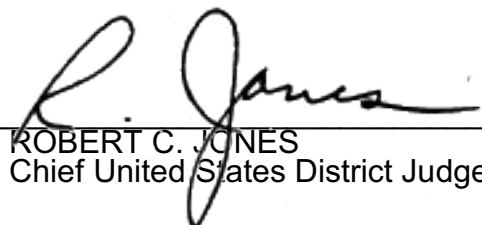
13 IT FURTHER IS ORDERED that the Clerk shall add Attorney General Catherine Cortez
14 Masto as counsel for respondents and shall informally electronically serve both the Federal
15 Public Defender and the Attorney General as further specified below.

16 IT FURTHER IS ORDERED that respondents' counsel shall enter a notice of
17 appearance herein within twenty (20) days of entry of this order, but no further response shall
18 be required from respondents until further order of this Court.

19 The Clerk accordingly shall send a copy of this order (with attachments of the petition,
20 the accompanying motions, #4 and #5) to the *pro se* petitioner, the Attorney General, the
21 Federal Public Defender, and the CJA Coordinator for this Division.

22 DATED: This 14th day of June, 2011.

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ROBERT C. JONES
Chief United States District Judge